

Court Alcohol and Drug Service Programs and Problem-Solving Courts

Clerks of the Circuit Court Conference
June 7, 2016

What is a Court Alcohol and Drug Services Program?

- ▶ An entity that provides a service for persons charged with or convicted of an infraction, misdemeanor, or felony and that provides substance abuse assessment, intervention, referral, treatment or rehabilitation pursuant to IC 12-23-14 under the operation of a court or under contract with a court.

What is a Problem-Solving Court?

An immediate and highly structured judicial intervention that incorporates the following concepts:

- Enhanced information sharing
- Engaging the community
- Collaboration with social service providers
- Linkages with community resources based on assessed risk and needs
- Participant accountability
- Continuous program evaluation

Models

- ▶ Drug Courts (39)
- ▶ Reentry Courts (9)
- ▶ Mental Health Courts (3)
- ▶ Veterans' Courts (16)
- ▶ Family Dependency Drug Courts (6)
- ▶ Domestic Violence Court (1)
- ▶ Any other court certified as a problem-solving courts by the Indiana Judicial Center (2)

Fiscal Support

- ▶ Gifts, bequests and donations from private sources
- ▶ Grants and contract money from governmental sources
- ▶ Other forms of financial assistance approved by the court
- ▶ User fees
- ▶ City or county general fund money

A/D Program Fees

Court may charge a fee for program services (IC 12-23-14-16)

- Court is required to adopt a schedule of fees charged by local court rule
- Fee for program services may not exceed \$400, excluding reasonable fees for education or treatment and rehabilitation services
- Program or Clerk shall collect the fees
- Fees must be deposited in the appropriate user fee fund (IC 33-37-8)
- Fees collected under this statute must be used only to fund a/d program services

PSC Fees

Court may charge a fee for problem-solving court services (IC 33-23-16-23)

- Board of Directors shall adopt rules establishing a range of fees for problem-solving court services
- Court is required to adopt a schedule of fees charged by local court rule
- Court or Clerk is required to collect the fees
- Fees must be deposited in the appropriate user fee fund (IC 33-37-8)
- Fees collected under this statute must be used only to fund problem-solving court services under this chapter

User Fees

Problem-Solving Courts Rules Section 16

- Court may assess an administration fee of not more than \$100 per admission to a problem-solving court for initial services
- Court may assess a monthly user fee (beginning the second month of participation) of not more than \$50 for the length of problem-solving court participation

Transfer Fee

Rules for A/D Programs Section 28

- A/D Program may charge a transfer fee of up to \$100 (this fee included in the \$400 cap)

Problem-Solving Court Rules Section 26

- A problem-solving court may charge a transfer fee not to exceed \$25 to initiate or accept transfers of individuals to or from another court.

PSC Chemical Testing Costs

IC 33-23-16-24

- A court may require a problem-solving court participant to pay for the cost of any or all chemical tests administered. Costs of chemical testing include laboratory expenses and problem-solving court expenses.

Problem-Solving Court Rules Section 25

- Court policy and procedure must specify the cost of and payment procedures for chemical testing.

A/D Resources

▶ Statutes

- <http://www.in.gov/legislative/ic/code/title12/ar23/ch14.html>

▶ Rules

- <http://www.in.gov/judiciary/cadp/files/cadp-rules.pdf>

▶ Directory

- <http://www.in.gov/judiciary/cadp/files/cadp-directory.pdf>

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